

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND**

SHARON BOST, in her individual capacity	*	
and as Personal Representative of the		
ESTATE OF FATIMA NEAL,	*	Case No. 1:15-cv-03278-ELH
 Plaintiff,	*	Hon. Ellen L Hollander,
		District Judge
v.	*	
		JURY TRIAL DEMANDED
WEXFORD HEALTH SOURCES, INC., <i>et</i>	*	
<i>al.</i> ,		
	*	
Defendants.	*	

* * * * *

JOINT MOTION REGARDING DISCOVERY SCHEDULE

Plaintiff SHARON BOST, in her personal capacity and as Personal Representative of the ESTATE OF FATIMA NEAL, by her attorneys, Defendants WEXFORD HEALTH SOURCES, INC., ANIKE AJAYI, ELIZABETH OBADINA, EBRE OHANEJE, NAJMA JAMAL, KAREN MCNULTY, ANDREA WIGGINS, GETACHEW AFRE, JOCELYN EL-SAYED, OBBY ATTA, by their attorneys, and Defendants BALTIMORE CITY DETENTION CENTER, SHAVELLA MILES, CAROL MCKNIGHT, VALERIE ALVES, GWENDOLYN OLIVER, RICKEY FOXWELL, CAROL HARMON, by their attorneys,¹ respectfully submit this joint motion to alter the Rule 26(a)(2) disclosure deadlines in this case:

1. On April 19, 2016, the Court entered a scheduling order in this matter. *See* Doc. No. 44. The scheduling order provides that the parties may request modifications to the scheduling by May 19, 2016, and thereafter may request modifications only for good cause. *Id.*

¹ Defendants Cierra Ladson and Carolyn Atkins are not represented by the Office of the Attorney General, they have not yet appeared to defend this case, and they have not been consulted on the filing on this motion.

2. Recently, the parties conferred about the discovery schedule, and they agree that a change of the dates for disclosures under Rule 26(a)(2) would promote efficient litigation of this case. The parties do not seek any change to the existing fact discovery or dispositive motion deadlines.

3. This case is likely to include retained expert reports and testimony on the cause and manner of Ms. Neal's death, alleged neurological injuries that she suffered, and the alleged policies and practices of Defendants. Nearly all of that expert testimony will depend on facts developed during depositions of fact witnesses in this case.

4. Currently, the Court's scheduling order provides that Plaintiff's Rule 26(a)(2) disclosures are due on July 6, 2016; Defendants Rule 26(a)(2) disclosures are due on August 2, 2016; and Plaintiff's rebuttal Rule 26(a)(2) disclosures are due on August 16, 2016.

5. At this point, the parties are exchanging written discovery and responses, as well as documents. In addition, they have started to schedule depositions.

6. Postponing these three Rule 26(a)(2) disclosure dates will permit the parties to fully develop the facts underlying experts' reports prior to disclosing those reports. In addition, postponing these dates will avoid the need for later supplementation of expert reports, as well as re-depositions of experts after any supplementation.

7. Accordingly, the parties respectfully submit that there is good cause to postpone the Rule 26(a)(2) dates set out above so that Plaintiff's Rule 26(a)(2) disclosures are due on January 31, 2017; Defendants Rule 26(a)(2) disclosures are due on April 28, 2017; and Plaintiff's rebuttal Rule 26(a)(2) disclosures are due on May 29, 2017.

8. This change to the discovery schedule will not alter any of the other dates in the Court's scheduling order, including the discovery deadline, the deadline for dispositive motions, or the time frame for trial.

WHEREFORE, Plaintiff and the Defendants respectfully request that this Court enter an order modifying the scheduling order so that Plaintiff's Rule 26(a)(2) disclosures are due on January 31, 2017; Defendants Rule 26(a)(2) disclosures are due on April 28, 2017; Plaintiff's rebuttal Rule 26(a)(2) disclosures are due on May 29, 2017; and all other dates remain in place.

RESPECTFULLY SUBMITTED,

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 Defendants.	*	

* * * * *

CERTIFICATE OF SERVICE

I, Steven Art, an attorney, hereby certify that, on June 15, 2016, I filed the foregoing JOINT MOTION REGARDING DISCOVERY SCHEDULE using the Court's CM-ECF system, which effected service on all counsel of record listed below. In addition, I prepared a paper copy of this motion to be sent on June 16, 2016, via Certified Mail, to Defendants Cierra Ladson and Carolyn Atkins, who have not appeared in this case.

/s/ Steven Art
One of Plaintiff's Attorneys

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